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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/045,682	10/29/2001	Robert Byrne	5681-06200	2426

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EXAMINER	
WON, MICHAEL YOUNG	
ART UNIT	PAPER NUMBER
2155	

DATE MAILED: 09/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/045,682	BYRNE ET AL.	
	Examiner	Art Unit	
	Michael Y. Won	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *29 October 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-44* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-44* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *6/9/05*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-44 have been examined and are pending with this action.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

2. The term "tentatively" in claims 1-3, 5, 8-12, 14, 16-18, 20, 23-27, 29, 31-33, 35, 38-42, and 44 is a relative term, which renders the claim indefinite. The term "tentatively" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. Examiner cannot determine how a computer or program embodied in a recordable medium would implement the method of "tentatively deriving a value" as recited in the claim language. Machines are autonomous.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-44 are rejected under 35 U.S.C. 102(b) as being anticipated by Kingdon et al. (US 5,784,560 A).

INDPENDENT:

As per ***claim 1***, Kingdon teaches a method of implementing node related conditions (see col.4, lines 31-32) in a directory server (see col.4, lines 38-39) having a tree structure (see col.5, lines 61-66) using condition-defining data attached to nodes (see col.4, lines 29-30), the method comprising:

attaching condition-defining data to a given node in the tree structure, said condition defining data having a variable portion and a reference portion (see col.5, line 66-col.6, line 9: "attribute has a textual name and a syntax by which **values** are represented", "a given attribute can have a range of valid values and a variety of other attribute characteristics");

upon access to a subnode (see col.2, line 67-col.3, line 6: "subtree" and col.5, lines 62-66; "subordinate") of said given node in the tree (see col.9, lines 15-33):

tentatively deriving a value for the variable portion, using the reference portion and a property of the subnode (see col.9, lines 5-14: "wherein the act of modifying can include adding, deleting or changing the values of a given attribute"),

changing the variable portion into the value (see col.9, lines 29-33); and

evaluating the condition in said condition defining data as interpreted (see col.9, lines 34-67).

As per ***claim 16***, Kingdon teaches a directory server system (see col.4, lines 38-39) comprising:

a tree comprising a plurality of nodes (see Fig.2 and col.5, lines 61-66); and

a tree structure processor for using condition defining data attached to a given node of the plurality of nodes (see col.4, lines 29-32);

wherein the condition defining data includes a reference portion and a variable portion (see col.5, line 66-col.6, line 9: "attribute has a textual name and a syntax by which **values** are represented", "a given attribute can have a range of valid values and a variety of other attribute characteristics");

wherein upon access to a subnode (see col.2, line 67-col.3, line 6: "subtree" and col.5, lines 62-66; "subordinate") of the given node (see col.9, lines 15-33) and in response to the condition defining data having a variable portion, the tree structure processor is configured to tentatively derive a value for the variable portion using the reference portion and a property of the subnode (see col.9, lines 5-14: "wherein the act of modifying can include adding, deleting or changing the values of a given attribute") and use a condition in said condition defining data with its variable portion changed into the value (see col.9, lines 29-33).

As per ***claim 31***, Kingdon teaches a computer readable medium comprising program instructions computer executable to implement node related conditions (see col.4, lines 31-32) in a directory server (see col.4, lines 38-39) having a tree structure (see col.5, lines 61-66) using condition-defining data attached to nodes (see col.4, lines 29-30), wherein the program instructions are configured to:

attach condition-defining data to a given node in the tree structure, said condition-defining data having a variable portion and a reference portion (see col.5, line 66-col.6, line 9: "attribute has a textual name and a syntax by which **values** are represented", "a given attribute can have a range of valid values and a variety of other attribute characteristics");

upon access to a subnode (see col.2, line 67-col.3, line 6: "subtree" and col.5, lines 62-66; "subordinate") of said given node in the tree (see col.9, lines 15-33):

tentatively derive a value for the variable portion, using the reference portion and a property of the subnode (see col.9, lines 5-14: "wherein the act of modifying can include adding, deleting or changing the values of a given attribute"),

change the variable portion into the value (see col.9, lines 29-33); and

evaluate the condition in said condition defining data as interpreted (see col.9, lines 34-67).

DEPENDENT:

As per ***claims 2, 17, and 32***, which depend on claims 1, 16, and 31, respectively, Kingdon further teaches wherein said tentatively deriving comprises comparing the reference portion with the property of the subnode (see col.9, lines 20-23).

As per ***claims 3, 18, and 33***, which depend on claims 2, 17, and 32, respectively, Kingdon further teaches wherein the reference portion comprises a target identifier in the tree (see col.7, lines 10-18), wherein said tentatively deriving comprises deriving the value for the variable portion from a portion of a subnode identifier in the tree (see col.5, line 66-col.6, line 6 and col.9, lines 5-14) which distinguishes over a relative node identification if the subnode identifier matches the target identifier (inherent).

As per ***claims 4, 19, and 34***, which depend on claims 3, 18, and 33, respectively, Kingdon further teaches wherein the subnode identifier is a portion of a distinguished name of the subnode (see col.6, lines 1-2 and col.7, lines 10-18).

As per ***claims 5, 20, and 35***, which depend on claims 1, 16, and 31, respectively, Kingdon further teaches wherein said tentatively deriving comprises looking for a property of the subnode designated by the reference portion (see col.7, lines 1-9 and col.9, lines 15-17).

As per ***claims 6 and 36***, which depend on claims 1 and 31, respectively, Kingdon teaches of further comprising controlling access to the subnode from the result of said evaluating (see col.9, lines 65-67).

As per ***claims 7, 22, and 37***, which depend on claims 1, 16, and 31, respectively, Kingdon further teaches wherein said attaching comprises attaching the condition defining data as an attribute to the given node (implicit: see col.9, lines 9-14).

As per ***claims 8, 23, and 38***, which depend on claims 7, 22, and 37, respectively, Kingdon further teaches wherein said attaching further comprises attaching to the given node or to a higher level node a macro (see col.1, lines 52: "macro") capable of at least partially implementing said tentatively deriving and said changing (implicit: see col.9, lines 1-6).

As per ***claims 9, 24, and 39***, which depend on claims 1, 16, and 31, respectively, Kingdon further teaches wherein the variable portion in the condition defining data comprises a predefined expression, and wherein said changing comprises substituting the predefined expression with the value as determined by said tentatively deriving (see col.9, lines 6-14).

As per ***claims 10, 25, and 40***, which depend on claims 9, 24, and 39, Kingdon respectively, further teaches wherein the variable portion in the condition defining data comprises a first predefined expression, and wherein said tentatively deriving comprises determining whether the property of the subnode matches the reference portion (see col.9, lines 17-20).

As per ***claims 11, 26, and 41***, which depend on claims 9, 24, and 39, Kingdon respectively, further teaches wherein the variable portion in the condition defining data comprises a second predefined expression (see col.6, lines 4-6), and wherein said tentatively deriving comprises determining whether the property of the subnode nearly matches the reference portion (see col.9, lines 17-20).

As per ***claims 12, 27, and 42***, which depend on claims 9, 24, and 39, Kingdon respectively, further teaches wherein the variable portion in the condition defining data

comprises a first predefined expression and a second predefined expression (see col.6, lines 4-6), wherein said tentatively deriving comprises determining whether the property of the subnode matches the reference portion (see col.9, lines 17-20), and wherein said changing comprises: changing exactly the first predefined expression into the value derived by said tentatively deriving and changing nearly the second predefined expression into the value derived by said tentatively deriving (see col.9, lines 29-33).

As per ***claims 13, 28, and 43***, which depend on claims 9, 24, and 39, Kingdon respectively, further teaches wherein the predefined expression contains the reference portion (see col.5, line 66-col.6, line 9: "attribute has a textual name and a syntax by which **values** are represented", "a given attribute can have a range of valid values and a variety of other attribute characteristics").

As per ***claims 14, 29, and 44***, which depend on claims 13, 28, and 43, Kingdon respectively, further teaches wherein the variable portion in the condition defining data comprises a third predefined expression (see col.6, lines 4-6) that comprises an attribute name expression (see col.6, lines 1-4), and wherein said tentatively deriving comprises: determining whether the subnode has an attribute matching the attribute name expression (see col.15-17: "Resolve Name"); and taking a value of the attribute as the value for the variable portion (col.6, lines 29-33).

As per ***claims 15 and 30***, which depend on claims 14 and 29, respectively, Kingdon further teaches wherein said determining is repeated for another value of the attribute as the value for the variable portion (see col.9, lines 36-65).

As per ***claim 21***, which depends on claim 16, Kingdon further teaches wherein the tree structure processor is further configured to control access to the subnode from using the condition in the condition defining data with its variable portion changed into the value (see col.6, lines 7-9 and col.9, lines 29-33 & 61-65).

Conclusion

4. Claims 1-44 have been rejected and are pending.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Y. Won whose telephone number is 571-272-3993. The examiner can normally be reached on M-Th: 7AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michael Won

September 14, 2005

SALEH NAJJAR
PRIMARY EXAMINER